

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

No claims are currently being amended.

Claims 14 and 15 are currently being added.

This amendment adds claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-15 are now pending in this application.

Claim Rejections:

In the Office Action, claims 1, 7-9, 11 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of U.S. Patent No. 6,307,573 to Barros and further in view of U.S. Patent No. 6,094,649 to Bowen; claims 2 and 4-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Barros in view of Bowen, and further in view of U.S. Patent No. 6,577,714 to Darcie; claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Barros, Bowen, and Darcie, and further in view of U.S. Patent No. 6,633,763 to Yoshioka; claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Barros in view of Bowen, and further in view of U.S. Patent No. 6,442,479 to Barton; and claims 10 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Barros and Bowen, and further in view of Poole (Distributed Communication Methods and Role-Based Access Control for Use in Health Care Applications"). These rejections are traversed for at least the reasons given below.

With respect to the rejection of independent claims 1 and 8, the Office Action asserts that "Bowen discloses a system comprising procedural steps of obtaining a textual expression from a database (col. 10, lines 59-65; col. 11, lines 52-60) and providing it as a search term to a search engine to search the World Wide Web (col. 11, line 65 – col. 12, line 8)." Applicant respectfully disagrees.

In particular, Bowen describes a system in which a document 210 outside of a database 202 is created, whereby that document contains a textual representation of each selected item's data. See column 10, lines 9-13 of Bowen. The location of selected data in the database 202 and the textual representation of the selected data's values are provided to an indexing agent 212, whereby the agent may be a roaming agent, such as a web crawler. See column 10, lines 59-67 of Bowen. In an associating step, the agent 212 associates the textual data values with their paired locations(s) in the index 214, treating the data values as keywords. See column 11, lines 12-13 of Bowen. In one embodiment, the agent 212 produces an index 214 that associates keywords with resource locators, such as URLs, as described in column 11, lines 28-32 of Bowen. As explained in column 11, lines 36-44 of Bowen, the index 214 will tend to contain entries for data sources other than the database 202, by associating keywords with storage locations in other databases, website, file systems, etc. Now, in a keyword obtaining step, a user interface 216 obtains a keyword from a user, as explained in column 11, lines 45-47 of Bowen, whereby that keyword is then used by the search engine 216 to obtain the location(s) of instances that match the keyword (see column 11, lines 65-67 of Bowen).

Thus, in Bowen, a user provides a keyword, whereby that keyword is not provided by way of a textual expression that is obtained from a first database, as recited in claim 1. The fact that Bowen associates keywords from a database 202 to data from other sources (including the World Wide Web) is not pertinent to the claimed invention, since in the claimed invention it is the keyword that is

obtained from a database, so that the keyword can be used to search other databases for pertinent information; while in Bowen it is a user that supplies a keyword that is used by a search engine to search a database 202 and other databases based on associations provided by way of an index of data stored in a document 210 that is accessed by an indexing agent 212.

Accordingly, since none of the other cited art of record rectifies the above-mentioned deficiencies of Bowen, presently pending independent claims 1 and 8 are patentable over the cited art of record.

The presently pending dependent claims are patentable due to their dependencies on either base claim 1 or base claim 8, as well as for the specific features recited in those claims.

For example, with respect to claim 6, the Office Action appears to acknowledge that Barton stores information as to a user's stay at a particular location, regardless as to the amount of time that the user actually stayed at each location. However, the Office Action asserts that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to retain only those records of a user staying at a landmark if the user has stayed for a minimum duration, as this would help prevent the second database from being filled with data records from users who showed little interest in a given location."

Applicant respectfully disagrees with this assertion made in the Office Action with respect to claim 6, whereby this assertion appears to be made based on hindsight reconstruction of the claimed invention. First, the Office Action provides no prior art that supports the assertion concerning "only storing information for stays longer than a predetermined time", whereby Applicant respectfully requests that the Examiner provide such a prior art teaching, or otherwise withdraw the rejection of claim 6. Furthermore, it is submitted that Barton's system for storing information from all stays, no matter the length of the stay, would be suitable for one skilled in the art, since there is no indication in Barton that storing such information causes a data storage problem, since it is

likely that other data being stored for those stays is much more of a "data storage hog". Also, it is submitted that one skilled in the art would want to maintain a record of all stays by a user, no matter the length, and to argue otherwise without any prior art support is nothing more than hindsight reconstruction of the claimed invention.

Accordingly, claim 6 is patentable for these additional reasons.

New Claims:

New claims 14 and 15 have been added to recite additional features of the present invention that are believed to patentably distinguish over the cited art of record, when taken as a whole.

Procedural Issues:

The PTO is requested to acknowledge receipt of the certified copy of the priority document, which was filed on July 24, 2001. It is noted that the Office Action Summary for the Office Action mailed November 21, 2003, has checked off boxes 12 and 12a, but it should also have checked off box 12a(1). Such a correction is requested in the next response from the PTO.

The PTO is also requested to include an initialed copy of the PTO Form 1449 submitted with the IDS filed on July 24, 2001. The Office Action Summary for the Office Action mailed November 21, 2003 indicates that an IDS was attached, but no such attachment was found in Applicant's copy of the Office Action.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§1.16-1.17,

or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 18, 2005

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